IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

LETTERS PATENT APPEAL No 387 of 2003
in
SPECIAL CIVIL APPLICATIONNo 8492 of 2000
and
CIVIL APPLICATION NO. 8283 OF 2001

For Approval and Signature:

Hon'ble MR.JUSTICE KSHITIJ R.VYAS
and
Hon'ble MR.JUSTICE AKSHAY H.MEHTA

==========

1. Whether Reporters of Local Papers may be allowed to see the judgement? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

STATE OF GUJARAT

Versus

SATTARBHAI IBRAHIMBHAI AGARIYA

Appearance:
MR AMIT KOTAK, AGP for Appellants/applicants in Letters Patent Appeal and Civil Applications
MR PRASHANT G DESAI for Respondents

CORAM : MR.JUSTICE KSHITIJ R.VYAS
and
MR.JUSTICE AKSHAY H.MEHTA

Date of decision: 07/04/2003

ORAL JUDGEMENT

(Per : MR.JUSTICE KSHITIJ R.VYAS)

Admit. Learned Counsel Mr.Desai waives notice of admission on behalf of the respondents.

Learned AGP Mr.Amit Kotak, after taking instruction from the concerned Department, states that against the order passed by this Court upholding Act No.11 of 2000, SLP is preferred before the Supreme Court and the Supreme Court has, though admitted the SLP, not granted any interim relief and in the meantime, Act No.9 of 2002 has come into force. He further submits that even the said Act is also challenged before the Supreme Court, which is pending. In view of the above, learned AGP states that this Letters Patent Appeal has become infructuous. This Letters Patent Appeal is accordingly rejected as having become infructuous.

In view of the order as above, the Civil Application for stay does not survive and is accordingly rejected. No costs.

(Kshitij R. Vyas, J.)

(Akshay H. Mehta, J.)

Sreeram.